

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE LOUDEYE CORPORATION
SECURITIES LITIGATION

No. C06-1442P

ORDER ON CORSO GROUP'S
MOTION FOR APPOINTMENT OF
LEAD PLAINTIFFS

This matter comes before the Court on a motion by the "Corso Group" (comprised of Maria Corso, Steven Corso, and Louise Rehling) for appointment as lead plaintiffs in these consolidated actions. Having considered the materials submitted by the Corso Group and Defendants' response, the Court finds and ORDERS as follows:

(1) In actions subject to the provisions of the Private Securities Litigation Reform Act (PSLRA), the Court "shall appoint as lead plaintiff the member or members of the purported plaintiff class that the court determines to be most capable of adequately representing the interests of class members." 15 U.S.C. § 78u-4(a)(3)(B)(i). The PSLRA establishes a rebuttable presumption that the most adequate plaintiff is the person or group of persons that: (a) has either filed the complaint or made a motion for appointment of lead plaintiff in response to the notice required by the PSLRA; (b) in the determination of the court, has the largest financial interest in the relief sought by the class; and (c) otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure. 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I).

(2) The Corso Group has submitted sufficient evidence to satisfy the Court that their appointment as lead plaintiffs is appropriate under the standards of the PSLRA. Therefore, the Court

GRANTS the Corso Group's motion for appointment of lead plaintiffs. Maria Corso, Steven Corso, and Louise Rehling are appointed as lead plaintiffs in this matter.

(3) The PSLRA provides that the lead plaintiffs shall, subject to Court approval, select and retain counsel to represent the putative class. 15 U.S.C. § 78u-4(a)(3)(B)(v). The Corso Group has selected the firm of Kahn Gauthier Swick, LLC to serve as lead counsel, with the firm of Tousley Brain Stephens PLLC serving as liaison counsel. The Corso Group has offered sufficient materials to satisfy the Court that their selections of lead counsel and liaison counsel should be approved. However, any attorneys from the two firms who are not members of the bar of this Court must submit proper pro hac vice applications and fees in order to appear in this matter.

(4) Counsel for both sides shall meet and confer regarding proposed deadlines for:

- (a) Lead Plaintiffs to file a consolidated amended complaint;
- (b) Defendants to file an answer or motion to dismiss in response to the consolidated amended complaint;
- (c) A briefing schedule on Defendants' anticipated motion to dismiss;
- (d) The Rule 26(f) conference;
- (e) Initial disclosures under Rule 26(a)(1); and
- (f) Submission of a combined joint status report and discovery plan in the form described in Docket No. 4.

The parties are directed to submit a joint status report to the Court regarding their proposed deadlines by January 30, 2007.

(5) The Clerk is directed to send copies of this order to all counsel of record.

Dated: January 23, 2007

s/Marsha J. Pechman
Marsha J. Pechman
United States District Judge